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 FED. I.D. NO. 99-0175383

October 3, 2007

VIA HAND DELIVERY

The Honorable Susan Oki Mollway
 Judge, United States Courthouse
 Prince Kuhio Federal Building
 300 Ala Moana Boulevard
 Honolulu, Hawaii 96850

Re: Hawaii Children's Blood and Cancer Group v. Hawai'i Pacific Health, et al.,
Civil No. CV03-00708 SOM/LEK

Dear Judge Mollway:

I regret the need to write this letter, but the refusal of counsel for Plaintiff to voluntarily withdraw his September 17, 2007 letter (improperly filed as Document number 123 in this matter, and enclosed herewith for your convenience) from the record despite his having previously been admonished by the Court for filing letters in this manner, has necessitated that I burden you with this request.

As set forth in more detail in my letter to you of September 20, 2007 and the transcript of Judge Ayabe's ruling enclosed therewith, (which letter is also enclosed for your convenience), the representations by Mr. del Castillo are patently false, and grossly misrepresent both the status of discovery in the state action (Civil No. 02-1-0090-01(BIA)), and Judge Ayabe's ruling regarding Plaintiffs' recent motion in that case. In my September 20 letter to Your Honor I urged Mr. del Castillo to take whatever steps are required to have his letter withdrawn from the public record; he failed to do so. On October 1, 2007, in an effort to avoid the need to further burden Your Honor with this matter, I contacted Mr. del Castillo by phone and again requested that he voluntarily withdraw his improperly filed letter from the record; he again refused.

Given the repeated advisory notices issued by this Court (See 7/10/07 and 9/18/07 Advisory Entries re docket numbers 112 and 123, respectively) informing Mr. del Castillo that documents such as his letter should be sent directly to Your Honor and not filed through CM/ECF, Mr. del Castillo ought to have taken the initiative to withdraw his inappropriately filed letter voluntarily. As he has refused to do so even after repeated invitation, I am left with little recourse but to request that the Court issue an order striking Mr. del Castillo's September 17, 2007 letter from the record.

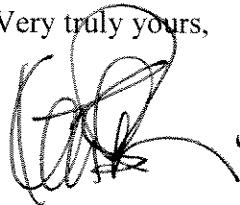
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It is my hope that the instant letter to Your Honor is a procedurally sufficient request for the relief sought (i.e., striking the September 17, 2007 letter from the record); it is my desire to avoid further burdening the Court with a formal Motion regarding this matter. However, I stand prepared, should the court so desire, to file such a Motion, as both my client and I feel strongly that the bald misrepresentations contained in Mr. del Castillo's letter do not belong in this Court's docket, where they may be accessed by the general public and construed by the public as truthful.

Very truly yours,



Kenneth S. Robbins

KSR\07-0317

Enclosures

cc w/encls.: Rafael G. del Castillo, Esq.